

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address):  <b>CASPER J. RANKIN (CASBN 249196)</b>  <b>FRED T. WINTERS (CASBN 91545)</b>  <b>ALDRIDGE PITE, LLP</b>  <b>4375 JUTLAND DRIVE, SUITE 200</b>  <b>SAN DIEGO, CA 92117</b>          TELEPHONE NO.: (8585) 750-7600 FAX NO. (Optional):          E-MAIL ADDRESS (Optional):          ATTORNEY FOR (Name): <b>CLEAR RECON CORP</b></p>	<p>FOR COURT USE ONLY</p>
<p><b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF VENTURA</b>          STREET ADDRESS: <b>800 SOUTH VICTORIA AVENUE</b>          MAILING ADDRESS: <b>800 SOUTH VICTORIA AVENUE</b>          CITY AND ZIP CODE: <b>VENTURA, CA 93009</b>          BRANCH NAME: <b>HALL OF JUSTICE</b></p>	
<p><b>IN RE (ADDRESS OF REAL PROPERTY):</b>  <b>422 WALKER AVENUE, CAMARILLO, CA 93010,</b></p>	
<p><b>PETITION AND DECLARATION REGARDING UNRESOLVED CLAIMS AND DEPOSIT OF UNDISTRIBUTED SURPLUS PROCEEDS OF TRUSTEE'S SALE</b></p>	
<p><b>Jurisdiction (check all that apply):</b>  <b>ACTION IS A LIMITED CIVIL CASE</b>          Amount deposited <input type="checkbox"/> does not exceed \$10,000  <input checked="" type="checkbox"/> exceeds \$10,000, but does not exceed \$25,000  <input type="checkbox"/> <b>ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000)</b></p>	<p>CASE NUMBER:</p>

1. Petitioner (name): **CLEAR RECON CORP** is the trustee under the Deed of Trust described in items 2 and 3 below.

**The Deed of Trust**

2. The Deed of Trust encumbered the real property commonly known as (describe):

**422 WALKER AVENUE**

**CAMARILLO, CALIFORNIA 93010**

(the "property") and legally described ☐ in Attachment 2 ☒ as follows:

**Lot 123 of Tract No. 1218-02, in the City of Camarillo, County of Ventura, State of California, as per Map recorded in Book 30, Pages 96 and 97 of Maps, in the Office of the County Recorder of said County.**

3. The Deed of Trust was

a. Executed by (name): **STACEY GUZMAN and JOSE GUZMAN**

as trustor.

b. Executed on (date): **APRIL 25, 2014**

Recorded:

(1) Date: **MAY 2, 2014**

(2) County: **VENTURA**

(3) Instrument number: **20140502-00055597-0**

**ORIGINAL**  
 Page 1 of 3  
 Civil Code, § 2324

JK

**The Trustee's Sale, Surplus Proceeds, and Notice to Potential Claimants**

4. The property was the subject of a trustee's sale that was held on (date): **OCTOBER 15, 2017**
5. A trustee's sale guarantee was prepared for the trustee's sale. *(A copy of the trustee's sale guarantee must be attached as Attachment 5.)*
6. The total sale price of the property was: **\$ 440,000.00**
7. After payment of the amounts required by Civil Code section 2924k(a)(1)–(2), there were surplus proceeds from the trustee's sale available to potential claimants in the total amount of: **\$ 38,488.15**
8. Within 30 days after the trustee's sale, the trustee sent written notice under Civil Code section 2924j(a) to all persons with a recorded interest in the real property as of the date immediately prior to the trustee's sale who would be entitled to notice. The names and addresses of all persons sent notice under Civil Code section 2924j(a) are as follows:

☒ Continued on Attachment 8.

**The Claims**

9. The trustee has received a total of (specify number): **2** written claims from potential claimants.
10. The trustee has exercised due diligence to determine the priority of the written claims received by the trustee to the trustee's sale surplus proceeds from the persons identified in item 8 to whom notice was sent.
11. The trustee submits this declaration under Civil Code section 2924j(c) for the following reason:
- a. ☐ After due diligence, the trustee is unable to determine the priority of the written claims received by the trustee to the trustee's sale surplus proceeds. *(If this reason applies, describe the problem of determining priorities in Attachment 11a.)*
- b. ☒ The trustee has determined that there is a conflict between potential claimants to the surplus proceeds. *(If this reason applies, identify the claimants and describe the conflict in Attachment 11b.)*
12. The trustee provides the following additional information relevant to the identity, location, priority of potential claimants, and the conflict of claims:

☐ Continued on Attachment 12.

**Notice of Intent to Deposit Funds and Proof of Service**

13. The trustee has provided written notice to all persons with a recorded interest in the property who would be entitled to notice under Civil Code section 2924b(b)–(c). The notice includes the following information:
- a. The trustee intends to deposit funds from the trustee's sale with the clerk of the court.
- b. A claim for funds must be filed with the court within 30 days from the date of notice.
- c. The address of the court in which the funds are to be deposited and a telephone number for obtaining further information.

*(Proof of Service of the notice on all persons entitled to notice under Civil Code section 2924j(d) must be attached to this declaration as Attachment 13.)*

**Deposit****14. Distributions**

The trustee has distributed the total amount of: \$13,655.86 to the following claimants based on their written claims:

Name of claimant:

Amount:

CALIFORNIA HOUSING FINANCE AGENCY

\$13,655.86

☐ Continued on Attachment 14.

**15. Trustee's Fees and Expenses**

The trustee has incurred reasonable fees and expenses totaling: \$7,034.91. These fees and expenses are recoverable under Civil Code section 2924k(a)(1) and (b) and are described ☐ in Attachment 15 ☒ as follows (specify):

Preparation of Notice of Surplus Funds pursuant to CCP 2924k; Review and analysis of claims received; Correspondence with claimants; Conduct research and investigation to locate parties and heirs entitled; Preparation and Service of Notice of Deposit, Petition and Exhibits

Attorney/Paralegal Fees: \$4,535.00

Investigation Costs: \$2,325.00

Mailing Costs: \$174.91

**16. Deposit**

The amount to be deposited is calculated as follows:

a. Trustee's sale proceeds	\$ 440,000.00
b. Debt to foreclosing creditor	\$ 401,501.85
c. Available surplus proceeds (a minus b)	\$ 38,488.15
d. Claims paid by trustee (from item 14)	\$ 13,655.86
e. Trustee's fees and expenses (from item 15)	\$ 7,034.91
f. Remaining surplus proceeds (c minus (d plus e))	\$ 17,797.38
g. Filing fee	\$ 370.00
h. Deposit (f minus g)	\$ 17,427.38

(If the trustee is represented by an attorney, the attorney's signature follows):

Date: September 17, 2020

CASPER J. RANKIN

(TYPE OR PRINT NAME OF ATTORNEY)



(SIGNATURE OF ATTORNEY)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

SEP 17 2020

CLEAR RECON CORP

(TYPE OR PRINT NAME OF TRUSTEE)



(SIGNATURE OF TRUSTEE) Monica Chavez

## **ATTACHMENT 5**

	<b>Limited Trustee's Sale Guarantee</b>
	ISSUED BY <b>Westcor Land Title Insurance Company</b>
<b>Schedule A (Part 2)</b>	GUARANTEE NUMBER <b>G-4-CA1009-5716692</b>

State: California  
File No.: 730-1704438-70  
Date of Guarantee: May 12, 2017

Agent No.: FL1356  
Ref: 057090-CA  
Liability: \$250,000.00 Fee: \$225.00

The liability of this Guarantee is limited to the least of the unpaid principal indebtedness secured by the foreclosing mortgage or \$250,000

1. Name of Assured:

Trustee: Clear Recon Corp.  
Beneficiary: Wells Fargo Bank, N.A.

2. The estate or interest in the land hereinafter described or referred to covered by this Guarantee is:

A Fee

3. Title to said estate or interest at the date hereof is vested in:

Stacey Guzman and Jose Guzman, wife and husband as joint tenants

4. The land referred to in this Guarantee is situated in the State of California, County of Ventura and is described as follows:

SEE EXHIBIT A ATTACHED HERETO

5. EXCEPTIONS:

1. Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes, to be levied for the fiscal year 2017 - 2018 which are a lien not yet payable.

2. Property taxes for the fiscal year shown below are paid. For proration purposes the amounts are:

Fiscal year:	2016 - 2017
1st Installment:	\$2,299.34
2nd Installment:	\$2,299.34
Exemption:	\$0.00
Land:	\$275,968.00
Improvements:	\$148,598.00
Personal Property:	\$0.00
Code Area:	07-056
Assessment No:	166-0-083-195

3. Assessments, if any, for community facility districts affecting said land which may exist by virtue of assessment maps or notices filed by said districts. Said assessments are collected with the County Taxes.

4. The lien of supplemental taxes, if any, assessed pursuant to the provisions of Chapter 3.5 (commencing with Section 75) of the revenue and taxation code of the State of California.

(Schedule A / Part 2- Continued)

5. Liens, encumbrances and other matters recorded prior to the lien of the foreclosing deed of trust.
- Liens, if any, subordinate to the lien of the foreclosing deed of trust which secure a monetary debt in favor of persons and/or entities, who are not entitled under the laws of the State of California pertaining to non-judicial foreclosure, to receive a copy of any Notice of Default or Notice of Trustee's Sale.
6. Deed of Trust to secure an indebtedness in the amount shown below, and any other obligations secured thereby:
- Amount: \$389,500.00  
Dated: April 25, 2014  
Trustor: Stacey Guzman and Jose Guzman, wife and husband as joint tenants  
Trustee: Broadview Mortgage Corp  
Beneficiary: Mortgage Electronic Registration Systems, Inc. MERS is a separate corporation that is acting solely as a nominee for Broadview Mortgage Corporation, its successors and assigns  
Recorded: May 2, 2014 as Instrument Number 20140502-00055597-0 of Official Records.
- a. The beneficial interest of Mortgage Electronic Registration Systems, Inc., as nominee for Broadview Mortgage Corporation, its successors and assigns under said deed of trust was assigned by assignment:
- To: Wells Fargo Bank, N.A.  
Dated: January 9, 2017  
Recorded: January 9, 2017 as Instrument No. 20170109-00002579-0, of official records.
- b. A Substitution of Trustee under said deed of trust which names as the substituted trustee, the following
- Trustee: Clear Recon Corp.  
Recorded: May 12, 2017 as Instrument Number 20170512-00062512, of official records.
- c. A Notice of Default under the terms of said deed of trust
- Executed by: Clear Recon Corp.  
Recorded: May 12, 2017 as Instrument Number 20170512-00062513 of Official Records.
7. Deed of Trust to secure an indebtedness in the amount shown below, and any other obligations secured thereby:
- Amount: \$12,300.00  
Dated: April 25, 2014  
Trustor: Stacey Guzman and Jose Guzman, wife and husband as joint tenants  
Trustee: California Housing Finance Agency, a public instrumentality and a political subdivision of the State of California  
Beneficiary: California Housing Finance Agency, a public instrumentality and a political subdivision of the State of California, and any successor or assigns  
Recorded: May 2, 2014 as Instrument Number 20140502-00055598-0 of Official Records.
- a. The Deed of Trust recorded as Instrument Number 20140502-00055598-0 of Official Records recites that it is subordinate to the Deed of Trust recorded concurrently therewith.
8. The latest tax roll information obtained from the county tax assessor shows the situs as 422 Walker Av, Camarillo and the Parcel No. as 166-0-083-195.

(Schedule A / Part 2- Continued)

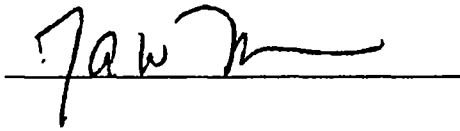
9. Any bankruptcy proceeding that is not disclosed by the acts that would afford notice as to said land, pursuant to Title 11 U.S.C. 549 (c) of the Bankruptcy Reform Act of 1978.

NOTE: This Guarantee does not assure the validity of the matters shown as Exceptions, which Exceptions are not necessarily shown in the order of their priority.

The issuance of this Guarantee does not in any way infer, imply or constitute a commitment that this Company will insure the title to said estate or interest, or to said land, during or following the foreclosure proceedings.

Title365 Company

**WESTCOR LAND TITLE INSURANCE COMPANY**



James William Moody  
Executive Vice President




By:

  
President

Attest:

  
Secretary

	<b>Limited Trustee's Sale Guarantee</b>
	ISSUED BY <b>Westcor Land Title Insurance Company</b>
<b>Information for Trustee</b>	GUARANTEE NUMBER <b>G-4-CA1009-5716692</b>

Relative to the Deed of Trust shown as Exception 6 in Part 2.

**1. City in which said land is located:**

If not in the city, judicial district in which said land is located:

Camarillo

If not in a city, judicial district in which the land is located:

NONE

**2. Legal publication:**

Newspaper: Camarillo Star

Publishes on: Mon/Tue/Wed/Thu/Fri/Sat/Sun

Deadline: 4 Days Prior 01:00 PM

**3. The names and address of persons who have recorded requests, as provided by section 2924b (a),(b) and (d) of the Civil Code, for a copy of notice of default and a copy of notice of sale are:**

Stacey Guzman  
422 Walker Avenue  
Camarillo, CA 93010  
Refers to: Trustor

Jose Guzman  
422 Walker Avenue  
Camarillo, CA 93010  
Refers to: Trustor

**4. The names and addresses of additional persons who, as provided by section 2924b (c) (1), (2) and (3) of the Civil Code, are entitled to receive a copy of notice of default and a copy of notice of sale are:**

California Housing Finance Agency  
C/O Attention: CalHFA, Homeownership Programs, Subordinate Loan Processing Unit  
P.O. Box # 4034  
Sacramento, CA 95812  
Refers to: Item No. 7

**5. The names and addresses of all associations defined in California Civil Code Sections 4080 and 6528 that have recorded a request for notice that are entitled to receive a copy of any trustee's deed upon sale as provided by California Civil Code Section 2924b (f) are**

NONE

**6. The names and addresses of state taxing agencies which, as provided by Section 2924b (c) (3) of the Civil Code, are entitled to receive a copy of notice of sale are:**

NONE

**7. The addresses of the Internal Revenue Service which, as provided by Section 2924b (c) (4) of the Civil Code, are entitled to receive a copy of notice of sale are:**

NONE



(Information for Trustee - Continued)

8. Attention is called to **Servicemembers' Civil Relief Act of 1940** and amendments thereto and the **Military Reservist Relief Act of 1991 (Sec. 800 to 810, Military and Veterans Code)** which contain inhibitions against the sale of land under a deed of trust if the owner is entitled to the benefits of said Acts.
9. Attention is called to the **Federal Tax Lien Act of 1966 (Public Law 89-719)** which, among other things, provides for the giving of written notice of sale in a specified manner to the Secretary of Treasury or his or her delegate as a requirement for the discharge or divestment of a Federal Tax Lien in a nonjudicial sale, and establishes with respect to such lien a right in the United States to redeem the property within a period of 120 days from the date of any such sale.
10. Continuation of Information for Trustee:  
N/A

## **Exhibit A**

The land referred to in this Report is situated in the City of Camarillo, County of Ventura, State of California, and is described as follows:

Lot 123 of Tract No. 1218-02, in the City of Camarillo, County of Ventura, State of California, as per Map recorded in Book 30, Pages 96 and 97 of Maps, in the Office of the County Recorder of said County.

APN: 166-0-083-195

# TITLE365

5000 Birch Street, Suite 150, Newport Beach, CA 92660  
Toll Free: (877)365-9365 | Direct: (949)491-9771 | Fax: (844)488-0495

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**Date:** August 8, 2017

Aldridge Pite, LLC  
4375 Jutland Drive, Suite 200  
San Diego, CA 92117  
Attn: Esther Valenzuela

## Publication Endorsement

Reference #:	798916	Coverage Amount:	\$250,000.00
TS#:	057090-CA	Premium Amount:	\$225.00
Our Reference #:	730-1704438-70	Effective Date:	July 27, 2017
Guarantee #:	G-4-CA1009-5716692	Issue Date:	August 8, 2017

Westcor Land Title Insurance Company hereby Assures the assured that, subsequent to the date of the Guarantee issued on April 28, 2017 under the above number, no matters are shown by the public records which would affect the assurances in said Guarantee other than the following:

NONE.

The total liability of the company under said Guarantee and under this Endorsement shall not exceed in the aggregate the amount stated in said Guarantee. This Endorsement is made a part of said Guarantee and is subject to the exclusions from coverage, the limits of liability and the other provisions hereof.

Sincerely,

Anselmo Pagkaliwangan  
Title Officer

# TITLE365

5000 Birch Street, Suite 150, Newport Beach, CA 92660  
Toll Free: (877)365-9365 | Direct: (949)491-9771 | Fax: (844)488-0495

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**Date:** October 5, 2017

Aldridge Pite, LLC.  
4375 Jutland Drive, Suite 200  
San Diego, CA 92117  
Attn: Esther Valenzuela

## Sale Endorsement

<b>Reference #:</b>	798916	<b>Coverage Amount:</b>	\$250,000.00
<b>TS#:</b>	057090-CA	<b>Premium Amount:</b>	\$225.00
<b>Our Reference #:</b>	730-1704438-70	<b>Effective Date:</b>	September 22, 2017
<b>Guarantee #:</b>	G-4-CA1009-5716692	<b>Issue Date:</b>	October 5, 2017

Westcor Land Title Insurance Company hereby Assures the assured that, subsequent to the date of the Guarantee issued on April 28, 2017 and followed by under the above number, no matters are shown by the public records which would affect the assurances in said Guarantee other than the following:

1. A Notice of Trustee's Sale recorded August 24, 2017 as Instrument Number 20170824-00109519 of Official Records executed pursuant to the Deed of Trust recorded May 2, 2014 as Instrument Number 20140502-00055597-0 of Official Records.

The total liability of the company under said Guarantee and under this Endorsement shall not exceed in the aggregate the amount stated in said Guarantee. This Endorsement is made a part of said Guarantee and is subject to the exclusions from coverage, the limits of liability and the other provisions hereof.

Sincerely,

Anselmo Pagkaliwangan  
Title Officer

## **ATTACHMENT 8**

# ALDRIDGE PITE LLP

October 13, 2017

**VIA FIRST CLASS MAIL**

**To: All Parties on attached Distribution List**

Return To: Aldridge Pite, LLP  
Attn: Surplus Funds  
4375 Jutland Drive, Suite 200  
San Diego, CA 92117

**Re: NOTICE OF SURPLUS FUNDS**

Property Address: 422 Walker Avenue, Camarillo CA 93010  
Former Trustor: Guzman, Stacey & Jose  
Trustee Sale No.: 057090-CA  
Date of the Sale: October 5, 2017  
Our File No.: 001395-002188

Our office represents Clear Recon Corp. (hereinafter "Trustee") as it relates to the real property located at 422 Walker Avenue, Camarillo CA 93010 (hereinafter "Subject Property"). On October 5, 2017, the Subject Property sold at a trustee's sale pursuant to California Civil Code section 2924 et seq. Pursuant to California Civil Code sections 2924j and 2924k, you may have a claim to all or a portion of the sale proceeds remaining after payment of the obligation which was the subject of the Trustee's Sale, and the Trustee's costs and expenses.

Please note that all claimants will be paid in the order of priority. We shall exercise due diligence to determine the priority of the written claims to the surplus proceeds of the sale. In the event there is no dispute as to the priority findings, proceeds will be paid within 30 days after the conclusion of the notice period. If we are unable to determine the priority of the written claims, we may deposit the surplus funds in the superior court of the county in which the sale took place and request recovery of reasonable attorney's fees and costs incurred as a result thereof.

If you believe that you have a claim to the sale proceeds, read the instructions below and complete the section relevant to your claim. In the event you do not have a claim and/or are waiving your right to make a claim, please complete the attached Disclaimer to Surplus Funds, so that the funds can be disbursed to the next lienholder.

4375 Jutland Drive  
P.O. Box 17933  
San Diego, CA 92177-0933  
(858) 750-7600  
[www.aldridgepite.com](http://www.aldridgepite.com)

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All claims must be received by Aldridge Pite, LLP at the address listed above, no later than 30 days after the date of this Notice as stated above.

If you have any questions regarding this notice please do not hesitate to contact our firm.

Sincerely,

/s/ Iris E. Musick  
Iris E. Musick  
IMusick@aldridgepite.com

IEM

Encl.

**AFFIDAVIT OF CLAIM FOR SURPLUS FUNDS**  
(This affidavit is issued pursuant to California Civil Code §2924(j))

**SECTION A:** *(To be completed by the former trustor and/or interested party only. Please complete Section A that attests to your status as the former owner or interested party of the Subject Property. Please attach copies of applicable supporting documents (i.e. grant deeds, note, deed of trust); W-9 form; and photo id.)*

The undersigned, \_\_\_\_\_, being first duly sworn, depose(s) and say(s):

1. The undersigned is not currently in bankruptcy.
2. At the time of the Trustee's sale, the undersigned was the trustor and/or vested owner of record; or other \_\_\_\_\_ (specify) of the real property commonly known as 422 Walker Avenue, Camarillo CA 93010, encumbered by a Deed of Trust dated April 25, 2014, and recorded on May 2, 2014, as Instrument Number 20140502-00055597-0 in the Official Records of Ventura County, State of California.

**SECTION B:** *(To be completed by junior lien holders only. Please complete Section B, Items 1 - 7. Please provide copies of the original promissory note, deed of trust, any assignments of beneficial interests related thereto; or other evidence of the indebtedness.)*

The undersigned, \_\_\_\_\_, being first duly sworn, depose(s) and say(s):

1. The undersigned is the \_\_\_\_\_ [title] of \_\_\_\_\_ [business entity] ("Claimant"), and has all requisite power and authority to execute documents and make claims on behalf of said entity.
2. The Claimant is not currently in bankruptcy.
3. The Claimant is the \_\_\_\_\_ [i.e. beneficiary, lien holder] under a \_\_\_\_\_ [the "Claim Document"] dated \_\_\_\_\_ and recorded on \_\_\_\_\_ in Book \_\_\_\_\_, Page \_\_\_\_\_, as Instrument No. \_\_\_\_\_ in the Official Records of \_\_\_\_\_ County, State of \_\_\_\_\_.
4. The Claim Document evidences a lien/interest in the property located at 422 Walker Avenue, Camarillo CA 93010.



5. As of the date hereof, the Claimant has not been paid in full the amount of its claim under the Claim Document.
6. A claim is hereby made for the surplus funds in the amount of \$\_\_\_\_\_. This figure represents unpaid principal, interest, late charges and any allowable costs or expenses incurred through **October 5, 2017, the date of the trustee's sale.**
7. The amount requested includes:

Unpaid Principal Balance	\$ _____
Interest to October 5, 2017	\$ _____
Late Fees	\$ _____
Advances	\$ _____
Legal Fees	\$ _____
Other	\$ _____

**SECTION C:** *(To be completed by all parties. Please provide contact information.)*

Name: \_\_\_\_\_ Title *(If junior lien holder)*: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Reference/Loan No. *(If junior lien holder)*: \_\_\_\_\_

All of the above statements are true and made to induce Trustee to pay the undersigned Claimant such portion of the surplus funds, which may be available for distribution. The undersigned Claimant acknowledges that Trustee may receive other claims which may have priority to or which may conflict with the undersigned's claim. Trustee makes no representations or promises that there will be any surplus funds available to distribute to the undersigned Claimant.

If Trustee distributes any surplus funds to the undersigned, the endorsement and negotiation of any check delivered to the undersigned, Claimant shall operate to fully release and discharge Trustee and its agents from any and all rights, claims or actions which the undersigned Claimant now has or may hereafter acquire with respect to such distribution, including any claims regarding the sums distributed to any claimant or the determination of the persons entitled to receive any distribution. The undersigned understands that the endorsement and negotiation of any check delivered to the undersigned is a full and final general release covering all known and

unknown and unanticipated injuries, claims or damages. For that reason the undersigned waives any and all rights or benefits which it may have under the terms of California Civil Code §1542, and the undersigned acknowledges that it has read and understands §1542 of the California Civil Code which states:

**A general release does not extend to claims which the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known by him or her must have materially affected his or her settlement with the debtor.**

Notwithstanding California Civil Code §1542, the undersigned agrees that this Agreement shall be a release of all claims, whether such claims are currently known, unknown, foreseen, or unforeseen, contingent or absolute, and the undersigned intentionally and specifically waives the provision of said §1542, and the undersigned assumes full responsibility for any injuries, damages, losses or liability that it may hereafter incur.

Upon the endorsement and negotiation of any check delivered to the undersigned in connection with this claim, the undersigned agrees to indemnify Trustee and its agents against any and all liability and damages, including reasonable attorneys' fees, which may be incurred as a result of any adverse claims which may be made by others to all or any portion of the surplus proceeds distributed to the undersigned Claimant.

I/We am/are authorized to execute this affidavit and am/are over the age of eighteen years old. I/We declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.

Claimant:

Date: \_\_\_\_\_

\_\_\_\_\_  
By:  
Title:

\*\*\*DOCUMENT MUST BE SIGNED AND NOTARIZED. NOTARY

ACKNOWLEDGMENT IS ATTACHED ON THE FOLLOWING PAGE\*\*\*

**NOTARY ACKNOWLEDGMENT**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of \_\_\_\_\_ )

) )

County of \_\_\_\_\_ )

On \_\_\_\_\_ before me, \_\_\_\_\_, personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Signature \_\_\_\_\_ (Seal)

**DISCLAIMER TO SURPLUS FUNDS**

I, the undersigned, hereby forever disclaim/give up any and all rights to the surplus funds generated from the Trustee Sale in the following matter:

Property Address: 422 Walker Avenue, Camarillo CA 93010  
Former Trustor: Guzman, Stacey & Jose  
Trustee Sale No.: 057090-CA  
Date of the Sale: October 5, 2017  
Our File No.: 001395-002188

**INFORMATION**

Company: \_\_\_\_\_  
Recorded Lien: \_\_\_\_\_  
Reason: \_\_\_\_\_  
Name/Title \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone/Email: \_\_\_\_\_

I declare under penalty of perjury under the laws of the State of \_\_\_\_\_ that the foregoing is true and correct.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2017, at \_\_\_\_\_  
(city), \_\_\_\_\_ (state)

\_\_\_\_\_  
Signature

The completed Disclaimer of Interest form must be dated, signed, and returned to:

**ALDRIDGE PITE, LLP**  
**Attn: Surplus Funds**  
**4375 Jutland Drive, Suite 200**  
**San Diego, CA 92117**

**DISTRIBUTION LIST**

STACEY GUZMAN  
422 WALKER AVENUE  
CAMARILLO CA 93010

JOSE GUZMAN  
422 WALKER AVENUE  
CAMARILLO CA 93010

CALIFORNIA HOUSING FINANCE AGENCY  
C/O ATTENTION: CALHFA  
HOMEOWNERSHIP PROGRAMS, SUBORDINATE LOAN PROCESSING UNIT  
P.O. BOX # 4034  
SACRAMENTO, CA 95812

## **ATTACHMENT 11b**

ATTACHMENT 11b

Petitioner alleges a potential conflict in the distribution of proceeds pursuant to Civil Code section 2924j(c).

Subsequent to a trustee's sale of real property, the proceeds from the sale must be distributed in accordance with Civil Code section 2924k. Pursuant to that statute any funds remaining after payment of the obligations secured by the deed of trust which is the subject of the trustee's sale are to be paid to satisfy any outstanding obligations secured by junior liens or encumbrances and then "to the trustor or the trustor's successor in interest. In the event the property is sold or transferred to another, to the vested owner of record at the time of the trustee's sale."

Petitioner conducted a Trustee's Sale of the real property located 422 Walker Avenue, Camarillo, CA 93010 ("Subject Property"). The sale took place on October 5, 2017, under a Deed of Trust dated April 25, 2014, executed by Stacey Guzman and Jose Guzman. The Deed of Trust was recorded on May 2, 2014, as Instrument No. 20140502-00055597-0, in the official records of the Ventura County, State of California. A true and correct copy of the Trustee's Deed Upon Sale is attached hereto as **Exhibit A**.

As of the date of the Trustee's Sale, the following junior liens were recorded against the Subject Property:

1. A Deed of Trust in the amount of \$12,300.00, in favor of California Housing Finance Agency, which was recorded on May 2, 2014, as Instrument No. 20140502-00055598-0, in the official records of Ventura County, State of California. See Exception No. 7 of the Trustee's Sale Guarantee as listed in Attachment 5 of the Petition and Declaration Regarding Unresolved Claims.

On or about January 16, 2018, Petitioner received a claim to the excess proceeds of the Trustee's Sale from California Housing Finance Agency in the amount of \$13,655.86. Petitioner distributed funds to California Housing Finance Agency as listed in Paragraph 14 of the Petition and Declaration Regarding Unresolved Claims.

On or about February 4, 2019, Petitioner received a claim to the excess proceeds of the Trustee's Sale from Nora Sanchez. A true and correct copy of the claim and the supporting documents are attached hereto as **Exhibit B**.

Petitioner is informed and believes that trustors, Stacey Guzman and Jose Guzman ("Trustors") were deceased as of the date of the Trustee's Sale. Copies of their death certificates are attached hereto as **Exhibit C**.

Petitioner is informed and believes that that the Trustors had two children, Alonso Guzman and Adan Guzman ("Guzman Children") and are the parties entitled to claim the remaining surplus funds. Nora Sanchez and Jesus Guzman, siblings to Jose Guzman, were appointed guardians to the Guzman Children. A copy of the Letters of Guardianship filed January 12, 2017 is attached hereto as **Exhibit D**. Since the Guzman Children are minors, Petitioner has requested that the Ms. Sanchez and Mr. Guzman provide evidence that a blocked bank account has been established for

the benefit of the Guzman Children. A conflict exists because between the two appointed guardians. Mr. Guzman has retained counsel with the Law Offices of Lady Justice for assistance to claim the excess proceeds. The letter of representation also includes an Assignment of Interest in Surplus Funds. Copies of the documentation pertaining to Mr. Guzman's representation is attached hereto as Exhibit E. Mrs. Sanchez has requested to obtain the surplus funds on behalf of the Guzman Children without Mr. Guzman, however, since both Mr. Guzman and Ms. Sanchez were appointed the legal guardians, neither can act without the consent of the other. Based on the foregoing conflict, the Petitioner is unable to disburse the remaining surplus proceeds of the Trustee's Sale and seeks to deposit the surplus funds with the Court.



# **EXHIBIT A**

WHEN RECORDED MAIL TO:

**BRECKENRIDGE PROPERTY FUND  
2016, LLC  
2015 MANHATTAN BEACH BLVD  
#100  
REDONDO BEACH, CA 90278**

TRA# 07056  
Trust No. 057090-CA  
Parcel No. 166-0-083-195  
Property Address:  
**422 WALKER AVENUE  
CAMARILLO, CALIFORNIA 93010**

Space Above This Line For Recorder

MAIL TAX STATEMENT TO:

Same as above

Documentary Transfer Tax **\$484.00**

The Grantee Herein was not the Foreclosing  
Beneficiary.

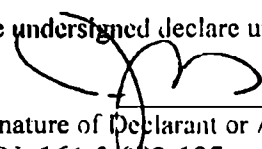
consideration **\$440,000.00**

unpaid debt **\$401,511.85**

XX Computed on the consideration or value of  
property conveyed.

\_\_\_ Computed on the consideration of value less liens  
or encumbrances remaining at time of sale.

The undersigned declare under penalty of perjury

  
\_\_\_\_\_  
Signature of Declarant or Agent  
APN 166-0-083-195

## **TRUSTEE'S DEED UPON SALE**

**CLEAR RECON CORP.** (herein called trustee)

does hereby grant and convey, but without covenant or warranty, express or implied to  
**BRECKENRIDGE PROPERTY FUND 2016, LLC**

(herein called Grantee) the real property in the county of **Ventura**, State of California described  
as follows:

**Lot 123 of Tract No. 1218-02, in the City of Camarillo, County of Ventura, State of California, as  
per Map recorded in Book 30, Pages 96 and 97 of Maps, in the Office of the County Recorder of  
said County.**

The street address and other common designation, if any, of the real property described above is  
purported to be: **422 WALKER AVENUE , CAMARILLO, CALIFORNIA 93010**

TS #: 057090-CA

This conveyance is made pursuant to the authority and powers vested in said Trustee, as Trustee, or Successor Trustee, or Substituted Trustee, under that certain Deed of Trust executed by **STACEY GUZMAN AND JOSE GUZMAN, WIFE AND HUSBAND AS JOINT TENANTS** as Trustor, recorded 5/2/2014, as Instrument No. 20140502-00055597-0, of official Records in the Office of the Recorded of Ventura County, California; and pursuant to the Notice of Default recorded 5/12/2017, as Instrument No. 20170512-00062513, of Official Records of said County, Trustee having complied with all applicable statutory requirements of the State of California and performed all duties required by said Deed of Trust, including, among other things, as applicable, the mailing of copies of notices or the publication of a copy of the notice of default or the personal delivery of the copy of the notice of default or the posting of copies of the notice of sale or the publication of a copy thereof.

At the place fixed in the Notice of Trustee's Sale, said Trustee did sell said property above described at public auction on 10/5/2017 to said Grantee, being the highest bidder therefore, for \$440,000.00 cash, lawful money of the United States, in satisfaction pro tanto of the indebtedness then secured by said Deed of Trust.


Date: **OCT 06 2017** **CLEAR RECON CORP.**

By:

  
**TAMMY LAIRD**  
**FORECLOSURE MANAGER**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

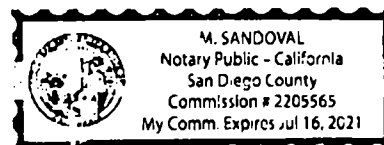
State of California)  
County of San Diego)

On **OCT 06 2017** before me,   
a Notary Public, personally appeared **Tammy Laird** who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of **CALIFORNIA** that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature





MAIL TAX STATEMENTS TO THE ABOVE MENTIONED ADDRESS

## **EXHIBIT B**

**SECTION A:** *(To be completed by the former trust or and/or interested party only. Please complete Section A that attests to your status as the former owner or interested party of the Subject Property. Please attach copies of applicable supporting documents (i.e. grant deeds, note, deed of trust); W-9 form; and photo. id.)*

The undersigned, Robert L. [illegible], being  
first duly sworn, depose(s) and say(s):

- [illegible]

**SECTION B:** *(To be completed by junior lien holders only. Please complete Section B, Items 1 - 7. Please provide copies of the original promissory note, deed of trust, any assignments of beneficial interests related thereto; or other evidence of the indebtedness.)*

The undersigned, \_\_\_\_\_, being  
first July sworn, depose(s) and say(s):

1. The undersigned is the \_\_\_\_\_ [title] of \_\_\_\_\_ [business entity] ("Claimant"), and has all requisite power and authority to execute documents and make claims on behalf of said entity.
2. The Claimant is not currently in bankruptcy.
3. The Claimant is the \_\_\_\_\_ [i.e. beneficiary, lien holder] under a \_\_\_\_\_ [the "Claim Document"] dated \_\_\_\_\_ and recorded on \_\_\_\_\_ in Book \_\_\_\_\_, Page \_\_\_\_\_, as Instrument No. \_\_\_\_\_ in the Official Records of \_\_\_\_\_ County, State of \_\_\_\_\_.
4. The Claim Document evidences a lien/interest in the property located at 422 Walker Avenue, Camarillo CA 93010.



5. As of the date hereof, the Claimant has not been paid in full the amount of its claim under the Claim Document.
6. A claim is hereby made for the surplus funds in the amount of \$ Balance. This figure represents unpaid principal, interest, late charges and any allowable costs or expenses incurred through October 5, 2017, the date of the trustee's sale.
7. The amount requested includes:

Unpaid Principal Balance	\$	
Interest to October 5, 2017	\$	
Late Fees	\$	
Advances	\$	
Legal Fees	\$	
Other	\$	

**SECTION C:** (To be completed by all parties. Please provide contact information.)

Name: Nora L Sanchez Title (If junior lien holder): \_\_\_\_\_

Address: 632 Lincoln St. Mariposa CA 93211

Phone: 55-727-1532 Email: benitezhuin@icloud.com

Reference/Loan No. (If junior lien holder): \_\_\_\_\_

All of the above statements are true and made to induce Trustee to pay the undersigned Claimant such portion of the surplus funds, which may be available for distribution. The undersigned Claimant acknowledges that Trustee may receive other claims which may have priority to or which may conflict with the undersigned's claim. Trustee makes no representations or promises that there will be any surplus funds available to distribute to the undersigned Claimant.

If Trustee distributes any surplus funds to the undersigned, the endorsement and negotiation of any check delivered to the undersigned, Claimant shall operate to fully release and discharge Trustee and its agents from any and all rights, claims or actions which the undersigned Claimant now has or may hereafter acquire with respect to such distribution, including any claims regarding the sums distributed to any claimant or the determination of the persons entitled to receive any distribution. The undersigned understands that the endorsement and negotiation of any check delivered to the undersigned is a full and final general release covering all known and

unknown and unanticipated injuries, claims or damages. For that reason the undersigned waives any and all rights or benefits which it may have under the terms of California Civil Code §1542, and the undersigned acknowledges that it has read and understands §1542 of the California Civil Code which states:

A general release does not extend to claims which the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known by him or her must have materially affected his or her settlement with the debtor.

Notwithstanding California Civil Code §1542, the undersigned agrees that this Agreement shall be a release of all claims, whether such claims are currently known, unknown, foreseen, or unforeseen, contingent or absolute, and the undersigned intentionally and specifically waives the provision of said §1542, and the undersigned assumes full responsibility for any injuries, damages, losses or liability that it may hereafter incur.

Upon the endorsement and negotiation of any check delivered to the undersigned in connection with this claim, the undersigned agrees to indemnify Trustee and its agents against any and all liability and damages, including reasonable attorneys' fees, which may be incurred as a result of any adverse claims which may be made by others to all or any portion of the surplus proceeds distributed to the undersigned Claimant.

I/We am/are authorized to execute this affidavit and am/are over the age of eighteen years old. I/We declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.

Claimant:

Date: 1-2-11

By:

Title:

\*\*\*DOCUMENT MUST BE SIGNED AND NOTARIZED. NOTARY

ACKNOWLEDGMENT IS ATTACHED ON THE FOLLOWING PAGE\*\*\*



## NOTARY ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )County of Ventura )

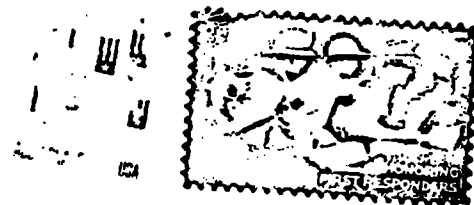
On Jan 29, 2019 before me, Meghan Ann Richmond-Ashburn, personally appeared Nancy J. Richmond, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Signature Meghan Richmond-Ashburn (Seal)



Nora & Sonny Sanchez  
632 Charles Street  
Moorpark CA 93021  
Sing Dance Live Love



4375 J. Paul Drive, Suite 200  
San Diego CA 92117

92117-360050



**Affidavit for Collection of Personal Property  
Pursuant to California Probate Code §13100-13116**

I, Nora L. Sanchez, state as follows:

1. STALEY ALICE GUIMAN (name of decedent), died on 10.28.16 (date of death) in the County of VENTURA - IMPERIAL, California.
2. At least 40 days have passed since the death of the decedent, as shown by the attached **certified copy of the decedent's death certificate.**
3. ☒ No proceeding is now being or **OR** ☐ The decedent's Personal Representative has been conducted in California for administration of the decedent's estate. ☐ The decedent's Personal Representative has consented in writing to the payment, transfer, or delivery of the property described in this declaration.
4. The current gross value of the decedent's real and personal property in California, excluding the property described in Probate Code §13050, does not exceed \$150,000.00.
5. ☐ An inventory and appraisal of the real property included in the decedent's estate is attached. **OR** ☒ There is no real property in the estate. See # 6.
6. The following property is to be paid, transferred or delivered to the undersigned according to Probate Code § 13006 (describe the property to be transferred):

Surplus funds resulting from the foreclosure sale of property located at  
422 Walker Avenue, Camarillo, CA 93012

7. The successor(s) of the decedent, as defined in Probate Code § 13006 is/are:

ALONSO GUIMAN NORA L. SANCHEZ  
ADAN GUIMAN

8. I am:  
☐ a successor(s) of the decedent to the decedent's interest in the described property. **OR** ☒ authorized under Probate Code §13051 to act on behalf of the decedent's successor(s) with respect to the decedent's interest in the described property.
9. No other person has a right to the interest of the decedent in the described property.
10. I request that the above-described property be paid, delivered or transferred to the undersigned.

**Affidavit for Collection of Personal Property  
Pursuant to California Probate Code §13100-13116 - continued**

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date 2-20-19 Sign Name Nora L. Sanchez Print Name Nora L. Sanchez  
(If more than one individual is entitled to receive the described property, all need to sign this affidavit. If this is the case, additional declarants can sign below and on an additional page.)

Date \_\_\_\_\_ Sign Name \_\_\_\_\_ Print Name \_\_\_\_\_

Date \_\_\_\_\_ Sign Name \_\_\_\_\_ Print Name \_\_\_\_\_

Date \_\_\_\_\_ Sign Name \_\_\_\_\_ Print Name \_\_\_\_\_

Date \_\_\_\_\_ Sign Name \_\_\_\_\_ Print Name \_\_\_\_\_

**Acknowledgement  
(By Notary Public)**

State of California )  
County of \_\_\_\_\_ )  
\_\_\_\_\_ )

On \_\_\_\_\_ (date) before me, personally appeared \_\_\_\_\_  
[1] who proved to me on the basis of satisfactory [2] evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

**Certificate Attached for  
California Notary Wording**  
My commission expires: \_\_\_\_\_

Signature: Certificate Attached for  
California Notary Wording  
Print Name: \_\_\_\_\_

(Seal)

**CALIFORNIA ALL-PURPOSE  
CERTIFICATE OF ACKNOWLEDGMENT**  
(CALIFORNIA CIVIL CODE § 1189)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA )  
COUNTY OF VENTURA )

On 03/20/19 before me, COREY TANISHITA (NOTARY PUBLIC)  
(Date) (Here Insert Name and Title of the Officer)

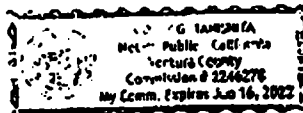
personally appeared Nora L. Sanchez  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/it/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Signature]  
Signature of Notary Public

(Notary Seal)



ADDITIONAL OPTIONAL INFORMATION

**Description of Attached Document**

Agreement for Collection of Personal Property  
Title or Type of Document: Personal Property Collection Agreement Document Date: 03/20/19

Number of Pages: 2 (one page only) Other than named Above:

Additional Information: /

## **EXHIBIT C**

EL CENTRO, CALIFORNIA

3057-54753

**CERTIFICATE OF DEATH**

3701613000787

[illegible]

**CERTIFIED COPY OF VITAL RECORDS**  
**STATE OF CALIFORNIA, COUNTY OF IMPERIAL**

1 (X) THE BY CERTIFY THAT THE FILE IS IN A TRUE AND CORRECT  
2 COPY OF THE ORIGINAL RECORDS FILED IN THIS CASE.

DATE ISSUED DEC 21 2016 S.F.

This copy is not valid unless produced in response to order, displaying the date and any signature on the 1st and 2nd pages.



## **EXHIBIT D**

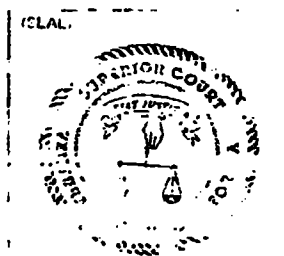


<p>ATTORNEY OR PARTY WITHOUT ATTORNEY      STATE BAR NO</p> <p>NAME <b>Jesus A Guzman: Nora Sanchez</b></p> <p>FIRM NAME <b>6311 Upland Road</b></p> <p>STREET ADDRESS <b>Camarillo CA 93012</b></p> <p>CITY      STATE      ZIP CODE</p> <p>TELEPHONE NO      805-804-0542      FAX NO.</p> <p>E MAIL ADDRESS:</p> <p>ATTORNEY FOR (name): <b>IN PRO PER</b></p> <p><b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF VENTURA</b></p> <p>STREET ADDRESS: <b>4353 Vineyard Avenue</b></p> <p>MAILING ADDRESS: <b>SAME</b></p> <p>CITY AND ZIP CODE: <b>Oxnard, CA 93036</b></p> <p>BRANCH NAME: <b>Juvenile Courthouse</b></p> <p><b>GUARDIANSHIP OF</b> (name): <b>Alonso Guzman and Adan Guzman</b></p>	<p>FOR COURT USE ONLY</p> <p><b>VENTURA SUPERIOR COURT</b></p> <p><b>FILED</b></p> <p><b>JAN 12 2017</b></p> <p><b>MICHAEL D. PLANET</b> Executive Officer and Clerk</p> <p>By: _____ Deputy</p>
<p style="text-align: center;"><b>LETTERS OF GUARDIANSHIP</b></p> <p style="text-align: center;"><input checked="" type="checkbox"/> Person      <input type="checkbox"/> Estate</p>	
<p style="text-align: right;">CASE NUMBER      56-2016-00488584-PR-GP-OXN</p>	

## LETTERS

1. ☐ (Name): **Jesus A Guzman and Nora L Sanchez** is appointed guardian of the ☒ person ☐ estate  
of (name): **Alonso Guzman and Adan Guzman**
2. ☐ The appointment of (name): \_\_\_\_\_ as guardian of the person of  
(name): \_\_\_\_\_  
is extended past the ward's 18th birthday as of (date): \_\_\_\_\_
3. ☐ Other powers have been granted and conditions have been imposed as follows
  - a. ☐ Powers to be exercised independently under Probate Code section 2590 are specified in attachment 3a (specify powers, restrictions, conditions, and limitations).
  - b. ☐ Conditions relating to the care and custody of the property under Probate Code section 2402 are specified in attachment 3b.
  - c. ☐ Conditions relating to the care, treatment, education, and welfare of the ward under Probate Code section 2358 are specified in attachment 3c.
  - d. ☐ Other powers granted or conditions imposed are ☐ specified on attachment 3d ☐ specified below.
4. ☐ The guardian is not authorized to take possession of money or any other property without a specific court order.
5. The guardianship of the person terminates by operation of law on (date) \_\_\_\_\_
6. Number of pages attached: \_\_\_\_\_

WITNESS, clerk of the court, with seal of the court affixed

Date: **JAN 12 2017**

Clerk, by \_\_\_\_\_ Deputy

**MICHAEL D. PLANET**

LETTERS OF GUARDIANSHIP

Probate Code §§ 2310, 2311, 2890-2893

GUARDIANSHIP OF  
(name): Alonso Guzman and Adan Guzman

CASE NUMBER

### NOTICE TO INSTITUTIONS AND FINANCIAL INSTITUTIONS

(Probate Code sections 2890–2893)

When these *Letters of Guardianship* (Letters) are delivered to you as an employee or other representative of an *institution* or *financial institution* (described below) in order for the guardian of the estate (1) to take possession or control of an asset of the minor named above held by your institution (including changing title, withdrawing all or any portion of the asset, or transferring all or any portion of the asset) or (2) to open or change the name of an account or a safe-deposit box in your financial institution to reflect the guardianship, you must fill out Judicial Council form GC-050 (for an institution) or form GC-051 (for a financial institution). An officer authorized by your institution or financial institution must date and sign the form, and you must file the completed form with the court.

There is no filing fee for filing the form. You may either arrange for personal delivery of the form or mail it to the court for filing at the address given for the court on page 1 of these Letters.

The guardian should deliver a blank copy of the appropriate form to you with these Letters, but it is your institution's or financial institution's responsibility to complete the correct form, have an authorized officer sign it, and file the completed form with the court. If the correct form is not delivered with these Letters or is unavailable for any other reason, blank copies of the forms may be obtained from the court. The forms may also be accessed from the judicial branch's public website free of charge. The Internet address (URL) is [www.courts.ca.gov/forms.htm](http://www.courts.ca.gov/forms.htm). Select the form group *Probate—Guardianships and Conservatorships* and scroll down to form GC-050 for an institution or form GC-051 for a financial institution. The forms may be printed out as blank forms and filled in by typewriter (nonfillable form) or may be filled out online and printed out ready for signature and filing (fillable form).

An *institution* under California Probate Code section 2890(c) is an insurance company, insurance broker, insurance agent, investment company, investment bank, securities broker-dealer, investment advisor, financial planner, financial advisor, or any other person who takes, holds, or controls an asset subject to a conservatorship or guardianship other than a financial institution. Institutions must file a *Notice of Taking Possession or Control of an Asset of Minor or Conservatee* (form GC-050) for an asset of the minor or conservatee held by the institution. A single form may be filed for all affected assets held by the institution.

A *financial institution* under California Probate Code section 2892(b) is a bank, trust (including a Totten trust account but excluding other trust arrangements described in Probate Code section 82(b)), savings and loan association, savings bank, industrial bank, or credit union. Financial institutions must file a *Notice of Opening or Changing a Guardianship or Conservatorship Account or Safe-Deposit Box* (form GC-051) for an account or a safe-deposit box held by the financial institution. A single form may be filed for all affected accounts or safe-deposit boxes held by the financial institution.

### LETTERS OF GUARDIANSHIP

#### AFFIRMATION

solemnly affirm that I will perform according to law the duties of guardian.

Executed on (date): 11.1.17

, at (place): CAMARILLO CA

Nora L Sanchez

Jesus A Guzman

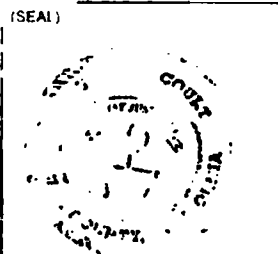
(TYPE OR PRINT NAME)

(SIGNATURE OF APPOINTEE)

#### CERTIFICATION

I certify that this document, including any attachments, is a correct copy of the original on file in my office, and that the Letters issued to the person appointed above have not been revoked, annulled, or set aside, and are still in full force and effect.

(SEAL)



JAN 12 2017

Date:

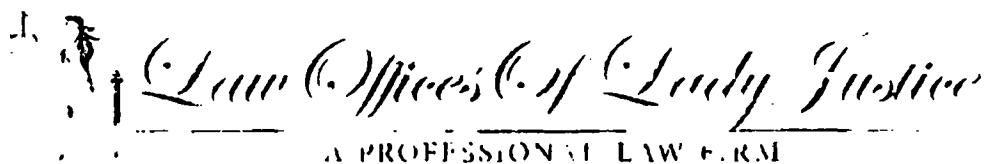
Clerk, by

MICHAEL D. PLANET

Deputy

J. LUC

## **EXHIBIT E**



Phone: 388 LADY 121 or 888-523-9121

Fax: 909-360-5004

Email: [BK@LawLadyJustice.com](mailto:BK@LawLadyJustice.com)

[www.LawOfficesOfLadyJustice.com](http://www.LawOfficesOfLadyJustice.com)

Date: February 7, 2019

To: Quality Loan Service Corp

Property Address: 422 Walker Av Camarillo CA 93010

Trustee Sale Number: 057090-CA

Client: Jesus Guzman, representative of the estate of Jose and Stacey Guzman

To Trustee,

Please be advised my office represents Jesus A. Guzman in regard to their surplus funds after foreclosure sale. They are stressed and anxious to receive their funds and have asked me to help them. **Please direct all further communication to me directly.** My cell phone number is 562-900-8954 and mailing address is 12223 Highland Avenue, #106-830, Rancho Cucamonga, CA 91739. You can email the claim form to [BK@LawLadyJustice.com](mailto:BK@LawLadyJustice.com). I will make sure to mail the completed form with original signatures. The check for the funds will also need to go into my attorney trust account: Attorney Mona Patel, Inc.

Please contact me if you have any questions.

Mona Patel

I consent to the Law Offices of Lady Justice representing me in this matter.

Signed:   
Jesus Guzman

Date: 2-7-2019

## **ATTACHMENT 13**

CASPER J. RANKIN (CA SBN 249196)  
FRED T. WINTERS (CA SBN 91545)  
ALDRIDGE PITE, LLP  
4375 JUTLAND DRIVE, SUITE 200  
P.O. BOX 17935  
SAN DIEGO, CA 92177-0935  
TELEPHONE: (858) 750-7600  
FACSIMILE: (858) 726-6228  
EMAIL: crankin@aldridgepite.com

Attorneys for Petitioner CLEAR RECON CORP

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF VENTURA

CLEAR RECON CORP,

Petitioner,

v.

ALL CLAIMANTS TO SURPLUS FUNDS  
AFTER A TRUSTEE'S SALE OF REAL  
PROPERTY LOCATED AT 422 WALKER  
AVENUE, CAMARILLO CA 93010,

Respondents.

Case No.:

**PROOF OF SERVICE**

I, the undersigned, declare: I am, and was at the time of service of the papers herein referred to, over the age of 18 years, and not a party to this action. My business address is 4375 Jutland Drive Suite 200, San Diego, CA 92117.

On October 5, 2020, I served the following documents:

1. CIVIL CASE COVER SHEET
2. PETITION AND DECLARATION REGARDING UNRESOLVED CLAIMS AND DEPOSIT OF UNDISTRIBUTED SURPLUS PROCEEDS OF TRUSTEE'S SALE
3. NOTICE OF PETITION TO SUPERIOR COURT TO DEPOSIT SURPLUS FUNDS
4. MEMORANDUM OF POINTS AND AUTHORITIES
5. [PROPOSED] ORDER TO DEPOSIT SURPLUS FUNDS
6. PROOF OF SERVICE

1 on the parties in this action addressed as follows:

2 SEE ATTACHED SERVICE LIST

3 X

4 — BY MAIL: I placed a true copy in a sealed envelope addressed as indicated above. I am  
5 readily familiar with the firm's practice of collection and processing correspondence for  
6 mailing. It is deposited with the U.S. Postal Service on that same day in the ordinary  
course of business. I am aware that on motion of party served, service is presumed invalid  
if postal cancellation date or postage meter date is more than one day after date of deposit  
for mailing in affidavit.

7 — BY CERTIFIED MAIL: I placed a true copy in a sealed envelope addressed as indicated  
8 above via certified mail, return receipt requested.

9 — BY FACSIMILE: I personally sent to the addressee's facsimile number a true copy of the  
10 above-described document(s). I verified transmission with a confirmation printed out by  
11 the facsimile machine used. Thereafter, I placed a true copy in a sealed envelope  
addressed and mailed as indicated above.

12 — BY FEDERAL EXPRESS: I placed a true copy in a sealed Federal Express envelope  
13 addressed as indicated above. I am familiar with the firm's practice of collection and  
14 processing correspondence for Federal Express delivery and that the documents served are  
deposited with Federal Express this date for overnight delivery.

15 I declare under penalty of perjury under the laws of the State of California that the  
16 foregoing is true and correct.

17 Executed on October 5, 2020, at San Diego, California.

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21 ROSALYNN B. SALARDA

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**SERVICE LIST**

CALIFORNIA HOUSING FINANCE AGENCY  
C/O ATTENTION: CALHFA  
HOMEOWNERSHIP PROGRAMS, SUBORDINATE LOAN PROCESSING UNIT  
P.O. BOX # 4034  
SACRAMENTO, CA 95812

NORA L. SANCHEZ, as guardian for  
Alonso Guzman and Adan Guzman  
632 CHARLES STREET  
MOORPARK, CA 93021

JESUS A. GUZMAN, as guardian for  
Alonso Guzman and Adan Guzman  
8181 COLUMBUS PLACE  
OXNARD, CA 93033

LAW OFFICES OF LADY JUSTICE  
Attn: Mona Patel, Esq.  
12223 HIGHLAND AVENUE, #106-830  
RANCHO CUCAMONGO, CA 91739  
(Attorney for Jesus A. Guzman)